

Here is what the President had to say. In 2009 he said:

What we have done is kicked this can down the road. We are now at the end of the road. We are not in a position to kick it any further.

We can only find \$4 billion to save? President Obama said last year:

I hope some of the folks who are hollering about deficits and debt step up, because I am calling their bluff.

We can only save \$4 billion?

My administration is going to seek to work with Congress to execute serious entitlement reform.

And then as Senator the President said:

Increasing America's debt weakens us domestically, weakens us internationally. Leadership means the buck stops here. Instead, Washington is shifting the burden of bad choices today on to the backs of our children and grandchildren. America has a debt problem and a failure of leadership.

I ask, where is the President of the United States in this debate? Where is the President of the United States? His debt commission came out months ago and recommended \$4 trillion in savings. No support from the President. The President made an eloquent State of the Union Address. I sat on the front row and applauded many times. No sense of urgency about the Federal debt. The President offered his budget a few weeks ago. No plan for reducing the Federal debt.

Now we are taking step No. 1, which is to work on the discretionary part of the budget—only about 12 percent of the budget. The House is willing to take difficult steps; the Senate Democratic majority says we can only find an amount that equals the debt we are piling up in one 24-hour period; and the President is missing in action.

I respectfully say that is not leadership. We need the President of the United States to join us in an effort to stop our country from spending money we don't have, in making difficult decisions about spending, so we can assure the strength and future of our country.

The question before us is will we or will we not stop spending money we don't have? Will we or will we not make the difficult decisions it takes to reduce spending so that our country will be strong for the future?

The other side says they can find \$4.7 billion to save. We say we can start with \$57 billion. I will vote for the \$57 billion and against the \$4.7 billion because that is a sure step toward a bright path for America's future.

I thank the Chair. I yield the floor.

The PRESIDING OFFICER. Does the Senator yield back the remaining time? There is 2 minutes remaining.

Mr. ALEXANDER. Mr. President, I yield back the remainder of our time.

The PRESIDING OFFICER. All time is yielded back.

Under the previous order, the question is on the passage of H.R. 1. Under that order, 60 votes are required for passage.

Mr. ALEXANDER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 44, nays 56, as follows:

[Rollcall Vote No. 36 Leg.]

#### YEAS—44

Alexander	Ensign	McConnell
Ayotte	Enzi	Moran
Barrasso	Graham	Murkowski
Blunt	Grassley	Portman
Boozman	Hatch	Risch
Brown (MA)	Hoeven	Roberts
Burr	Hutchison	Rubio
Chambliss	Inhofe	Sessions
Coats	Isakson	Shelby
Coburn	Johanns	Snowe
Cochran	Johnson (WI)	Thune
Collins	Kirk	Toomey
Corker	Kyl	Vitter
Cornyn	Lugar	Wicker
Crapo	McCain	

#### NAYS—56

Akaka	Hagan	Nelson (NE)
Baucus	Harkin	Nelson (FL)
Begich	Inouye	Paul
Bennet	Johnson (SD)	Pryor
Bingaman	Kerry	Reed
Blumenthal	Klobuchar	Reid
Boxer	Kohl	Rockefeller
Brown (OH)	Landrieu	Sanders
Cantwell	Lautenberg	Schumer
Cardin	Leahy	Shaheen
Carper	Lee	Stabenow
Casey	Levin	Tester
Conrad	Lieberman	Udall (CO)
Coons	Manchin	Udall (NM)
DeMint	McCaskill	Warner
Durbin	Menendez	Webb
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden
Gillibrand	Murray	

The PRESIDING OFFICER. On this vote, the yeas are 44, the nays 56. Under the previous order requiring 60 votes for passage of this bill, the bill is rejected.

The majority leader.

#### AMENDMENT NO. 149

Mr. REID. Mr. President, on behalf of Senator INOUE, I send to the desk amendment No. 149.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. INOUE, proposes an amendment numbered 149.

Mr. REID. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in the RECORD of Friday, March 4, 2011.)

Mr. REID. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to amendment No. 149.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 42, nays 58, as follows:

[Rollcall Vote No. 37 Leg.]

#### YEAS—42

Akaka	Feinstein	Mikulski
Baucus	Franken	Murray
Begich	Gillibrand	Pryor
Bingaman	Harkin	Reed
Blumenthal	Inouye	Reid
Boxer	Johnson (SD)	Rockefeller
Brown (OH)	Kerry	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Landrieu	Stabenow
Carper	Lautenberg	Tester
Casey	Leahy	Udall (NM)
Conrad	Lieberman	Warner
Coons	Menendez	Whitehouse
Durbin	Merkley	Wyden

#### NAYS—58

Alexander	Grassley	Murkowski
Ayotte	Hagan	Nelson (NE)
Barrasso	Hatch	Nelson (FL)
Bennet	Hoeven	Paul
Blunt	Hutchison	Portman
Boozman	Inhofe	Risch
Brown (MA)	Isakson	Roberts
Burr	Johanns	Rubio
Chambliss	Johnson (WI)	Sanders
Coats	Kirk	Sessions
Coburn	Kohl	Shelby
Cochran	Kyl	Snowe
Collins	Lee	Thune
Corker	Levin	Toomey
Cornyn	Lugar	Udall (CO)
Crapo	Manchin	Vitter
DeMint	McCain	Webb
Ensign	McCaskill	Wicker
Enzi	McConnell	
Graham	Moran	

The PRESIDING OFFICER. On this vote, there are 42 yeas, 58 nays. Under the previous order requiring 60 votes for adoption of this amendment, the amendment is rejected.

Under the previous order, the measure will be returned to the calendar.

The Senator from Minnesota.

#### MORNING BUSINESS

Mr. FRANKEN. Mr. President, I ask unanimous consent the Senate proceed to a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### THE BIG PICTURE

Mr. FRANKEN. Mr. President, I rise today to speak about H.R. 1, the House bill we just voted down and which I will continue to oppose until major changes are made. With apologies to Nobel Prize-winning economist Paul Krugman, I would like to talk about Willy Sutton for a second. While we should not normally take fiscal lessons from criminals, Willy Sutton had it right. He said he robbed banks because "that's where the money is." Of course, he didn't target places with only petty cash. What is the point of robbing a school or a homeless shelter? There is no money there. But that is exactly what H.R. 1 seeks to do.

Instead of tackling our deficits by going after the bank, it is targeting our most vulnerable. Domestic non-security discretionary spending makes up only 12 percent of our budget. We cannot balance the budget with only 12 percent of the budget on the table. We need to be looking at the big picture. We need to be focusing on the bank, where the money is.

In President Obama's State of the Union Address he said in order to get back on track, to build prosperity, we need to out-educate, out-build, and out-innovate the rest of the world. Ask any small business owner and they will agree that though sometimes they have to trim overhead, they have to also make smart target investments for their business to grow. So why does H.R. 1 do exactly the opposite?

The President calls for education funding that supports afterschool programs from Bemidji to Worthington. Yet H.R. 1 cuts \$100 million. In Minnesota, H.R. 1 would effectively eliminate afterschool programs for nearly 2,000 kids. H.R. 1 also cuts job training programs, virtually zeroing out the first title in WIA, even when 3,000 Minnesotans are on waiting lists to get training for jobs that are going unfilled. I talked to businesses all over Minnesota and they need trained workers. They support the Workforce Investment Act.

The President calls for infrastructure. Yet H.R. 1 cuts surface transportation projects across the country, including nearly \$8 million for a new railroad crossing in Staples and \$250,000 for the St. Paul Complete Streets Plan.

The Department of Transportation estimates that H.R. 1 would effectively cancel 75 projects in 40 States across the country and put more than 30,000 jobs at risk nationwide.

The President calls for innovation. Yet H.R. 1 cuts \$2.5 billion in lifesaving biomedical and health research at the National Institutes of Health and National Cancer Institute. The United States and my home State of Minnesota have been the world leaders in innovative biomedical research. Under H.R. 1, the United States will be forced to detour from our path toward breaking biomedical frontiers. I think we can agree we must not be penny-wise and pound-foolish when it comes to investing in our Nation's future.

H.R. 1 does exactly the opposite of what our country should be doing during an economic recovery. H.R. 1 does not target Willy Sutton's bank, it goes after schools and roads and cancer research.

I have a few ideas for targeting the bank where the money is. Let's start with big oil and gas. Over the past decade, the past 10 years, just the five largest oil and gas companies have made \$1 trillion in profit—not revenues, profit; \$1 trillion in profit. Yet we are giving them tax subsidies that have been in place since as far back as 1916. Eliminating these wasteful subsidies will bring in about \$64 billion over 10 years. Let's do that.

Another bank: Waste and fraud in the health care system. Provisions in the health reform law reduce waste. The value index that I and others pushed for in the health care reform bill is going to ensure that we reward value, not volume, in Medicare.

In Texas, for example, Medicare reimbursements are about 50 percent

higher per patient than they are in Minnesota. Yet in Minnesota we have better outcomes. Why? Because we deliver higher value health care at a much lower cost. Imagine how many tens of billions or hundreds of billions of dollars we could save if every State delivered health care like Minnesota does, like my State does.

Also, in Medicare the government pays too much for Medicare prescription drugs. Because Medicare represents so many people, it could negotiate prices directly with the drug companies and deliver the same benefits for seniors at a lower cost. The VA already does this. This simple change could save taxpayers up to \$24 billion a year or \$240 billion over 10 years. This is where the money is. I am not the first to point out there is waste in health care, but we can do something about it. Guess what. H.R. 1 would cut \$250 million from health care fraud and abuse control.

Another bank is the Department of Defense. We all agree we cannot skimp on national security, believe me. When our troops are at war, two wars, we can do nothing to skimp on their safety, their security, their readiness, their ability to fight these wars, or on them when they come back from the war. H.R. 1 makes cuts to programs for homeless vets.

We do not want to skimp on national security, but when the military says it doesn't need or want something, we should listen. When it says it doesn't need the F-35 alternate engine, the Marine Expeditionary Fighting Vehicle, or the Non-Line of Site Launch System, we should not buy them. This could save billions of dollars.

Then, of course, there is revenue. H.R. 1 does nothing to shore up revenue at a time when we still have our troops overseas engaged in combat. We have always paid for our wars before. This time we passed huge tax cuts for the wealthy, and just a couple of months ago my colleagues on the other side of the aisle insisted on extending these tax breaks on income over \$1 million. We had a vote on this. It was not enough to extend the tax breaks on the first million or the second million or the third million or the tenth million or the twentieth million or the fiftieth million or the hundredth million. Ending the tax breaks for millionaires could have brought in around \$35 to \$40 billion every year. On the back of the envelope, that is \$350 to \$400 billion over 10 years—I added a zero.

The President has stated this was only a temporary extension, and I plan to hold him to that. If we are going to be talking about making shared sacrifices and cutting homeless vets and cutting Head Start, let's make sure those shared sacrifices are really shared.

All these ideas need to be on the table, not just 12 percent of our entire budget. If we are at all serious about reforming our budget, and I am talking about serious about this, it has to in-

clude the bank. We have to go where the money is.

Mr. President, I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. McCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. WHITEHOUSE). Without objection, it is so ordered.

Mr. McCAIN. Mr. President, I ask unanimous consent to address the Senate as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CONTINUING APPROPRIATIONS ACT

Mr. McCAIN. Mr. President, earlier this afternoon, there was a vote on a 2-week continuing resolution to fund the government, and it was divided along party lines. I voted for passage of H.R. 1, the House-passed continuing resolution, which will fund the Federal Government for the remainder of the fiscal year. I supported this measure because I believe it is a critical first step toward reining in our deficit and debt and putting us back on a path to fiscal solvency.

I appreciate the hard work of my colleagues in the House. Their efforts required a lot of compromise and tough decisions. I supported passage of H.R. 1, but I have serious concerns with the defense-related spending of this bill.

The defense-related spending on H.R. 1 is not sufficient for us to carry out our responsibilities to the men and women who are serving in the military and fulfill our national security requirements. Therefore, if we are going to embark on another 2-week continuing resolution, as it appears that reports indicate may be the case, then I will be compelled to propose an amendment that will then fund our Nation's national security requirements for the remainder of the year. That number, as I have determined it, is approximately \$535 billion for normal defense appropriations, and \$159 billion for war funding, known as overseas contingency operations.

The Secretary of Defense, with whom I have disagreed from time to time—which I think is natural and appropriate—I believe is perhaps the finest Secretary of Defense who has ever served this Nation in many respects. I am sure there are others who were outstanding. But in recent memory, I have not met a person who has led our Defense Department with the qualities of leadership and dedication as Secretary Gates. I pay close attention—and I hope all of us do—particularly to the fact that we have Americans in harm's way in two wars and the turmoil that now is present in the Middle East, in the Arab world, in the Maghreb.

The Secretary of Defense has said unequivocally that he cannot guarantee